

Remarks

Claim 1 has been amended to recite a dye mixture comprising a yellow dyeing mixture of the dyes of formula I and IV and optionally the dye mixtures (B), (C) and (D). Claims 2, 16 and 17 have been withdrawn. In view of the amendments above and following remarks, Applicants respectfully request reconsideration by the Examiner, and advancement of the application to allowance.

Specification

The Examiner objected to the abstract and requested a new abstract be submitted. Applicants submit a new abstract as requested and respectfully request the objection be withdrawn.

35 U.S.C. § 103(a)

The Examiner rejected claims 1, 3, 4, 9, 12, 19, 20 and 22 under 35 U.S.C. § 103(a) as being unpatentable over Pichler et al. (WO 02/059216). Claims 1, 3, 4, 8, 9-12, 18-20 and 23 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over Himeno et al. (US Pat. No. 5,332,404). Applicants traverse these rejections for the following reasons.

Applicants do not dispute that Pichler et al. does disclose red azo dyes of formulae VIIa - VIId. However, Picher et al. does not teach or suggest using a mixture of dyes of formula VIIa - VIId together with the dye of formula VIII. Furthermore, the Examiner has previously acknowledged Applicants data in the specification is persuasive that the red dyeing mixture (B) of the dyes of formulae VIIa - VIId together with the dye

of formula VIII provides superior performance. Moreover, Pichler et al. does not teach or suggest a blue dyeing mixture of formulae Xa and Xb together with the dye of formula IX as required for blue dyeing mixture (C). Therefore, claimed blue dyeing mixture (C) is clearly distinguished over Pichler et al. Finally, Pichler et al. does disclose yellow-dyeing dyes of formula I and IV alone; however, Pichler et al. does not disclose or suggest a dye mixture comprising the dye of formula I together with the dye of formula IV as presently claimed.

Himeno et al. teaches a disperse dye mixture of certain red monoazo dyes. The disperse dye mixture in Himeno et al. may further contain various yellow and blue disperse dyes. However, Himeno et al. also does not teach or suggest a dye mixture comprising a yellow-dyeing mixture of formula I together with the dye of formula IV as presently claimed.

Nevertheless, to hasten prosecution, Applicants submit the Declaration of Griffin which provides comparative data showing that the yellow dyeing mixture (A) of the present invention surprisingly enhances the lightfastness of the dye mixture when used in textile substrates exposed to high temperature environments. In particular, the claimed yellow-dyeing mixture (A) comprising the dye of formula I together with the dye of formula IV significantly improves the performance of a dye mixture as compared to a dye mixture which contains yellow dyes of formulae I, II, IV or VI alone. The dye expert found this to be very surprising and completely unexpected. Applicants respectfully request the rejections based on Pichler et al. and Himeno et al. be withdrawn.

The Examiner also rejected claim 21 under 35 U.S.C. § 103(a) as being unpatentable over Pichler et al. or Himeno et al. in view of Haruta et al. (US Pat. No.

5,718,216). For the reasons set forth above, the presently claimed invention is not obvious in view of Pichler et al. or Himeno et al. Adding the teachings of Haruta et al. does not bring one skilled in the art closer to Applicants presently claimed invention as Haruta et al. is added for the general teaching of textile printing.

The Examiner also rejected claims 13-15 and 18 under 35 U.S.C. § 103(a) as being unpatentable over Pichler et al. or Himeno et al. in view of Tittmann et al. (US Pat. No. 5,871,669). For the reasons set forth above, the presently claimed invention is not obvious in view of Pichler et al. or Himeno et al. Adding the teachings of Tittmann et al. does not bring one skilled in the art closer to Applicants presently claimed invention as Tittmann et al. is added for the general teaching of incorporating stabilizers to a dye mixture.

The Examiner rejected claim 5 under 35 U.S.C. § 103(a) as being unpatentable over Pichler et al. in view of Loeffler et al. (US Pat. No. 5,403,363). The Examiner also rejected claims 5 and 24 under 35 U.S.C. § 103(a) as being unpatentable over Himeno et al. in view of Loeffler et al. (US Pat. No. 5,403,363). For the reasons set forth above, the presently claimed invention is not obvious in view of Pichler et al. or Himeno et al. Adding the teachings of Loeffler et al. does not bring one skilled in the art closer to Applicants presently claimed invention as Loeffler et al. does not teach or suggest a dye mixture comprising a yellow-dyeing mixture of the dyes of formula I and IV as presently claimed.

Finally, the Examiner rejected claims 6 and 7 under 35 U.S.C. § 103(a) as being unpatentable over Pichler et al. and Himeno et al. in view of Sutter et al. (WO 02/051941) and Hall (US Pat. No. 5,759,212) respectively. For the reasons set forth

above, the presently claimed invention is not obvious in view of Pichler et al. or Himeno et al. Adding the teachings of Sutter et al. or Hall does not bring one skilled in the art closer to Applicants presently claimed invention as neither Sutter et al. nor Hall teaches or suggest a dye mixture comprising a yellow-dyeing mixture of the dyes of formula I and IV as presently claimed.

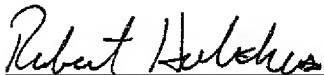
Conclusion

Applicants respectfully submit that the application is now in condition for allowance, and respectfully request an issuance of a Notice of Allowance directed towards the pending claims.

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Respectfully Submitted,

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